

*Status: Point in time view as at 18/09/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Audit Commission Act 1998 (repealed), Part 1. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 2A

#### INTERACTION WITH OTHER AUTHORITIES

##### Textual Amendments

- F1** Sch. 2A inserted (31.1.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 11](#); S.I. 2008/172, art. 2(1)(a)

#### PART 1

##### INTERPRETATION

###### *Inspection authorities*

- 1 (1) In this Schedule (subject to sub-paragraph (2)), “inspection authority” means—
- (a) Her Majesty's Chief Inspector of Prisons;
  - (b) Her Majesty's Chief Inspector of Constabulary;
  - (c) Her Majesty's Chief Inspector of the Crown Prosecution Service;
  - (d) [<sup>F2</sup>Her Majesty's Chief Inspector of Probation for England and Wales];
  - <sup>F3</sup>(e) .....
  - (f) Her Majesty's Chief Inspector of Education, Children's Services and Skills;  
<sup>F4</sup>...
  - <sup>F5</sup>(g) .....
  - (h) the Care Quality Commission; [<sup>F6</sup>or  
[ the Regulator of Social Housing.]
  - <sup>F7</sup>(i) .....
- (2) In paragraphs 5 to 10 of this Schedule, “inspection authority” also includes—
- (a) Her Majesty's Inspectors of Constabulary,
  - (b) [<sup>F8</sup>Her Majesty's Inspectorate of Probation for England and Wales], and
  - <sup>F9</sup>(c) .....
- but notice under paragraph 5(1) in respect of an inspection by those inspectors or inspectorates may be given to their Chief Inspector.

##### Textual Amendments

- F2** Words in Sch. 2A para. 1(1)(d) substituted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), art. 1, [Sch. 1 para. 27\(2\)\(c\)](#)

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- F3** Sch. 2A para. 1(1)(e) repealed (18.9.2012) by The Public Bodies (Abolition of Her Majesty’s Inspectorate of Courts Administration and the Public Guardian Board) Order 2012 (S.I. 2012/2401), art. 1(2)(3), **Sch. 1 para. 7(a)** (with art. 2)
- F4** Word in Sch. 2A para. 1(1)(f) omitted (1.4.2010) by virtue of The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 24(5)(a)**
- F5** Sch. 2A para. 1(1)(g) repealed (1.4.2009) by Health and Social Care Act 2008 (c. 14), s. 170(3)(4), Sch. 5 para. 69(b), **Sch. 15 Pt. 1**; S.I. 2009/462, art. 2(1), Sch. 1 paras. 35(x)36
- F6** Word in Sch. 2A para. 1(1)(h) inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 24(5)(b)**
- F7** Sch. 2A para. 1(1)(i) inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 24(5)(c)**
- F8** Words in Sch. 2A para. 1(2)(b) substituted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 26(2)(d)**
- F9** Sch. 2A para. 1(2)(c) repealed (18.9.2012) by The Public Bodies (Abolition of Her Majesty’s Inspectorate of Courts Administration and the Public Guardian Board) Order 2012 (S.I. 2012/2401), art. 1(2)(3), **Sch. 1 para. 7(b)** (with art. 2)

**Modifications etc. (not altering text)**

- C1** Sch. 2A para. 1(1) modified (temp.) (1.10.2008) by The Health and Social Care Act 2008 (Consequential Amendments and Transitory Provisions) Order 2008 (S.I. 2008/2250), arts. 1(1), **3(7)**

*Public authorities*

- 2 (1) In this Schedule “public authority”—
- (a) includes any person any of whose functions are of a public nature; but
  - (b) does not include either House of Parliament or a person exercising functions in connection with proceedings in Parliament.
- (2) Subject to paragraph 9(3), references in this Schedule to a public authority do not include a public authority outside the United Kingdom.
- (3) In relation to a particular act, a person is not a public authority by virtue of sub-paragraph (1) if the nature of the act is private.

*Inspections and functions*

- 3 In this Schedule—
- “Audit Commission inspection” means an inspection under—
- (a) <sup>F10</sup> ...
  - (b) section 10 of the Local Government Act 1999 (c. 27) (inspection of best value authorities);
- “inspection functions” means functions relating to Audit Commission inspections;
- “national studies functions” means functions relating to studies under any of the following provisions of this Act—
- (a) section 33(1) or (4) (studies for improving economy, efficiency and effectiveness in services);
  - (b) section 34(1) (studies as to impact of statutory provisions etc on economy, efficiency and effectiveness in services);
  - (c) section 36(1) (studies for improving economy, efficiency and effectiveness in management or operation of educational bodies);

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(d) section 38 (benefit administration studies for Secretary of State);

(e) <sup>F11</sup> ...

“relevant functions” means—

- (a) inspection functions;
- (b) national studies functions; and
- (c) reporting functions;

“reporting functions” means functions relating to the production of reports by the Commission under—

- (a) section 139A of the Social Security Administration Act 1992;
- (b) section 47A of this Act;

“section 139A inspector” means a person authorised under section 139A of the Social Security Administration Act 1992 (c. 5) (persons authorised to report on the administration of housing benefit and council tax benefit), other than the Commission.]

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#### **Textual Amendments**

**F10** Words in Sch. 2A para. 3 repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 9 para. 27(a), Sch. 16; S.I. 2010/862, arts. 2, 3 (with Sch.)

**F11** Words in Sch. 2A para. 3 repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 9 para. 27(b), Sch. 16; S.I. 2010/862, arts. 2, 3 (with Sch.)

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